

House of Representatives, March 26, 1998. The Committee on Labor and Public Employees reported through REP. DONOVAN, 84th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CHILD LABOR.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-12 of the general
2 statutes is repealed and the following is
3 substituted in lieu thereof:

4 None of the following persons under the
5 conditions hereinafter described shall be employed
6 in any manufacturing or mechanical establishment
7 more than nine hours in any day or forty-eight
8 hours in any calendar week: [(a) Persons under the
9 age of eighteen years, except such persons who
10 have graduated from a secondary educational
11 institution; (b) persons] (1) PERSONS sixty-six
12 years of age or older, except with their consent;
13 [(c)] (2) handicapped persons, so designated by
14 medical or governmental authority, except with
15 their consent and after certification by a
16 physician that the extended hours of work will not
17 be injurious to their health; [(d)] (3) disabled
18 veterans, as defined under state or federal law,
19 except with their consent and after certification
20 by a physician that the extended hours of work
21 will not be injurious to their health. If the
22 Labor Commissioner finds, upon application of an
23 employer, that an emergency exists or that

24 seasonal or peak demand places an unusual and
25 temporary burden upon any manufacturing or
26 mechanical establishment, any such person may be
27 employed in such establishment not more than ten
28 hours in any day nor more than fifty-five hours in
29 any calendar week, but the total number of weeks
30 of any such employment in any twelve consecutive
31 months shall not exceed twelve. With respect to
32 any group, category or class of employees for
33 which a work week of less than five days has been
34 established or agreed upon, the employer shall
35 adhere to the applicable weekly limitation period
36 herein prescribed but may extend the number of
37 hours per day for each day of the shortened work
38 week provided the number of hours shall be the
39 same for each day of the work week. In the event
40 of war or other national emergency, the
41 commissioner after investigation may, with the
42 approval of the Governor, extend the number of
43 weeks of any such employment if such extension is
44 necessary to meet scheduled production of war or
45 critical material. NO PERSON UNDER EIGHTEEN YEARS
46 OF AGE SHALL BE EMPLOYED IN ANY MANUFACTURING OR
47 MECHANICAL ESTABLISHMENT MORE THAN (A) SIX HOURS
48 IN ANY REGULARLY SCHEDULED SCHOOL DAY UNLESS THE
49 REGULARLY SCHEDULED SCHOOL DAY IMMEDIATELY
50 PRECEDES A SCHOOL HOLIDAY OR EIGHT HOURS IN ANY
51 OTHER DAY, AND (B) THIRTY-TWO HOURS IN ANY
52 CALENDAR WEEK DURING WHICH THE SCHOOL SUCH PERSON
53 ATTENDS IS IN SESSION, OR FORTY-EIGHT HOURS IN ANY
54 CALENDAR WEEK DURING WHICH THE SCHOOL SUCH PERSON
55 ATTENDS IS NOT IN SESSION. NOTWITHSTANDING ANY
56 PROVISION OF THIS SECTION, THE NUMBER OF HOURS
57 SUCH PERSON PARTICIPATES IN A WORK EXPERIENCE THAT
58 IS PART OF AN APPROVED EDUCATIONAL PLAN,
59 COOPERATIVE PROGRAM OR SCHOOL-TO-WORK PROGRAM
60 SHALL NOT BE COUNTED AGAINST THE DAILY OR WEEKLY
61 LIMITS SET FORTH IN THIS SECTION. Any person who,
62 or firm or corporation which, violates any of the
63 provisions of this section shall be fined not more
64 than [twenty-five] TWO HUNDRED FIFTY dollars for
65 the first offense and be fined not more than one
66 [hundred] THOUSAND dollars or imprisoned not more
67 than thirty days or both for any subsequent
68 offense. The provisions of this section shall not
69 apply to permanent salaried employees in
70 executive, administrative or professional
71 positions as defined by the Labor Commissioner, OR

72 TO PERSONS UNDER EIGHTEEN YEARS OF AGE WHO HAVE
73 GRADUATED FROM OR ARE NOT ENROLLED IN A SECONDARY
74 EDUCATIONAL INSTITUTION.

75 Sec. 2. Section 31-13 of the general statutes
76 is repealed and the following is substituted in
77 lieu thereof:

78 None of the following persons under the
79 conditions hereinafter described shall be employed
80 in any mercantile establishment more than eight
81 hours in any one day, or more than six days in any
82 one calendar week or more than forty-eight hours
83 in any one calendar week: [(a) Persons under the
84 age of eighteen years, except such persons who
85 have graduated from a secondary educational
86 institution; (b) persons] (1) PERSONS sixty-six
87 years of age or older, except with their consent;
88 [(c)] (2) handicapped persons, so designated by
89 medical or governmental authority, except with
90 their consent and after certification by a
91 physician that the extended hours of work will not
92 be injurious to their health; [(d)] (3) disabled
93 veterans, as defined under state or federal law,
94 except with their consent and after certification
95 by a physician that the extended hours of work
96 will not be injurious to their health; but any
97 such person may be permitted to work in any such
98 establishment one day in any calendar week for not
99 more than ten hours, for the purpose of making one
100 shorter day during such week, and any employer
101 who, during any year, gives not fewer than seven
102 holidays with pay shall be exempt from the
103 foregoing provisions hereof during the period from
104 the eighteenth to the twenty-fifth day of December
105 of such year. If the Labor Commissioner finds,
106 upon application of an employer, that an emergency
107 exists or that seasonal or peak demand places an
108 unusual and temporary burden upon any mercantile
109 establishment, any such person may be employed in
110 such establishment not more than ten hours in any
111 day nor more than fifty-two hours in any calendar
112 week, but the total number of weeks of any such
113 employment in any twelve months shall not exceed
114 eight. NO PERSON UNDER EIGHTEEN YEARS OF AGE SHALL
115 BE EMPLOYED IN ANY MERCANTILE ESTABLISHMENT MORE
116 THAN (A) SIX HOURS IN ANY REGULARLY SCHEDULED
117 SCHOOL DAY UNLESS THE REGULARLY SCHEDULED SCHOOL
118 DAY IMMEDIATELY PRECEDES A SCHOOL HOLIDAY OR EIGHT
119 HOURS IN ANY OTHER DAY, AND (B) THIRTY-TWO HOURS

120 IN ANY CALENDAR WEEK DURING WHICH THE SCHOOL SUCH
121 PERSON ATTENDS IS IN SESSION, OR FORTY-EIGHT HOURS
122 IN ANY OTHER CALENDAR WEEK DURING WHICH THE SCHOOL
123 SUCH PERSON ATTENDS IS NOT IN SESSION.
124 NOTWITHSTANDING ANY PROVISION OF THIS SECTION, THE
125 NUMBER OF HOURS SUCH PERSON PARTICIPATES IN A WORK
126 EXPERIENCE THAT IS PART OF AN APPROVED EDUCATIONAL
127 PLAN, COOPERATIVE PROGRAM OR SCHOOL-TO-WORK
128 PROGRAM SHALL NOT BE COUNTED AGAINST THE DAILY OR
129 WEEKLY LIMITS SET FORTH IN THIS SECTION. Each
130 employer in any such establishment shall post in a
131 conspicuous place in each room where such persons
132 are employed a notice, the form of which shall be
133 furnished by the Labor Commissioner, stating
134 specifically the hours of work required of such
135 persons on each day of the week, and the
136 employment of any such persons for a longer time
137 than so stated shall be a violation of this
138 section. Any person who violates any provision of
139 this section shall be fined not more than one
140 [hundred] THOUSAND dollars for each offense. The
141 provisions of this section shall not apply to
142 permanent salaried employees in executive,
143 managerial or supervisory positions excepted from
144 the provisions of part I of chapter 558 who
145 receive a regular salary of not less than the
146 minimum fixed for such employment in any wage
147 order or administrative regulation issued under
148 authority of said part, OR TO PERSONS UNDER
149 EIGHTEEN YEARS OF AGE WHO HAVE GRADUATED FROM OR
150 ARE NOT ENROLLED IN A SECONDARY EDUCATIONAL
151 INSTITUTION.

152 Sec. 3. Section 31-14 of the general statutes
153 is repealed and the following is substituted in
154 lieu thereof:

155 No [minor] PERSON under eighteen years of age
156 shall be employed in any manufacturing, mechanical
157 or mercantile establishment between the hours of
158 ten o'clock in the evening and six o'clock in the
159 morning, except that such [minors] PERSONS may be
160 employed in any MANUFACTURING, MECHANICAL OR
161 MERCANTILE ESTABLISHMENT UNTIL ELEVEN O'CLOCK IN
162 THE EVENING OR ANY supermarket until twelve
163 o'clock midnight on any night other than a night
164 preceding a regularly scheduled school day. No
165 such [minor] PERSON may be discharged or
166 discriminated against in any manner for refusing
167 to work later than ten o'clock in the evening. In

168 the event of war or other serious emergency, the
169 Governor may suspend the limitations upon evening
170 or night work contained in this section as to any
171 industries or occupations as he may find such
172 emergency demands. The provisions of this section
173 shall not apply to [minors] PERSONS under eighteen
174 years of age who have graduated from OR ARE NOT
175 ENROLLED IN a secondary educational institution.
176 For purposes of this section, "supermarket" means
177 any retail food store occupying a total retail
178 sales area of more than three thousand five
179 hundred square feet.

180 Sec. 4. Section 31-15 of the general
181 statutes, as amended by section 7 of public act
182 97-263, is repealed and the following is
183 substituted in lieu thereof:

184 Any person who wilfully employs, or has in his
185 employment or under his charge, any person in
186 violation of section 31-14, AS AMENDED BY SECTION
187 3 OF THIS ACT, and who permits any such person to
188 be so employed shall be fined not more than
189 [fifty] FIVE HUNDRED dollars for the first offense
190 and be fined not more than two [hundred] THOUSAND
191 dollars or imprisoned not more than thirty days or
192 both for any subsequent offense. Any parent or
193 guardian who permits any minor to be employed in
194 violation of section 31-12, AS AMENDED BY SECTION
195 1 OF THIS ACT, 31-13, AS AMENDED BY SECTION 2 OF
196 THIS ACT, or 31-14, AS AMENDED BY SECTION 3 OF
197 THIS ACT, shall be fined not more than [fifty]
198 FIVE HUNDRED dollars for each offense. A
199 certificate of the age of a minor made as provided
200 in section 10-193 shall be conclusive evidence of
201 his age upon the trial of any person other than
202 the parent or guardian for violation of any
203 provision of said section 31-12, 31-13 or 31-14,
204 AS AMENDED BY THIS ACT. Nothing in this chapter
205 shall affect the provisions of section 10-184.

206 Sec. 5. Section 31-18 of the general
207 statutes, as amended by section 9 of public act
208 97-263, is repealed and the following is
209 substituted in lieu thereof:

210 No public restaurant, cafe, dining room,
211 barber shop, hairdressing or manicuring
212 establishment, amusement or recreational
213 establishment, bowling alley, shoe-shining
214 establishment, billiard or pool room or photograph
215 gallery shall employ or permit to work any [minor]

216 PERSON under eighteen years of age [, except
217 minors who have graduated from a secondary
218 educational institution,] (1) between the hours of
219 ten o'clock in the evening and six o'clock in the
220 morning, or any of the persons described below
221 under conditions herein set forth more than nine
222 hours in any day: [(1)] (A) Persons sixty-six
223 years of age or older, except with their consent;
224 [(2)] (B) handicapped persons, so designated by
225 medical or governmental authority, except with
226 their consent and after certification by a
227 physician that the extended hours of work will not
228 be injurious to their health; [(3)] (C) disabled
229 veterans, as defined under state or federal law,
230 except with their consent and after certification
231 by a physician that the extended hours of work
232 will not be injurious to their health; provided
233 any such person may be permitted to work in any
234 such establishment one day in a week for not more
235 than ten hours on such day, but not more than six
236 days or forty-eight hours in any one week, and
237 provided further, [minors] PERSONS between sixteen
238 and eighteen years of age may be employed in any
239 restaurant, cafe or dining room, or employed [as
240 ushers] in any [nonprofit] theater until twelve
241 o'clock midnight unless such [minors] PERSONS are
242 regularly attending school in which case such
243 [minors] PERSONS may be employed until eleven
244 o'clock in the evening on days which precede a
245 regularly scheduled school day and until twelve
246 o'clock midnight during any regular school
247 vacation season and on days which do not precede a
248 regularly scheduled school day, AND (2) MORE THAN
249 (A) SIX HOURS IN ANY REGULARLY SCHEDULED SCHOOL
250 DAY UNLESS THE REGULARLY SCHEDULED SCHOOL DAY
251 IMMEDIATELY PRECEDES A SCHOOL HOLIDAY OR EIGHT
252 HOURS IN ANY OTHER DAY, AND (B) THIRTY-TWO HOURS
253 IN ANY CALENDAR WEEK DURING WHICH THE SCHOOL SUCH
254 PERSON ATTENDS IS IN SESSION OR FORTY-EIGHT HOURS
255 IN ANY OTHER CALENDAR WEEK DURING WHICH THE SCHOOL
256 SUCH PERSON ATTENDS IS NOT IN SESSION.
257 NOTWITHSTANDING ANY PROVISION OF THIS SECTION, THE
258 NUMBER OF HOURS SUCH PERSON PARTICIPATES IN A WORK
259 EXPERIENCE THAT IS PART OF AN APPROVED EDUCATIONAL
260 PLAN, COOPERATIVE PROGRAM OR SCHOOL-TO-WORK
261 PROGRAM SHALL NOT BE COUNTED AGAINST THE DAILY OR
262 WEEKLY LIMITS SET FORTH IN THIS SECTION. The hours
263 of labor of such persons shall be conspicuously

264 posted in such establishment in such form and
265 manner as the Labor Commissioner determines. The
266 provisions of this section shall not [affect
267 hotels] APPLY TO ANY PERSON UNDER EIGHTEEN YEARS
268 OF AGE WHO HAS GRADUATED FROM OR IS NOT ENROLLED
269 IN A SECONDARY EDUCATIONAL INSTITUTION. Any person
270 who violates any provision of this section shall
271 be fined not more than two [hundred] THOUSAND
272 dollars for each offense.

273 Sec. 6. Subsection (e) of section 31-23 of
274 the general statutes, as amended by section 10 of
275 public act 97-263, is repealed and the following
276 is substituted in lieu thereof:

277 (e) Any person, whether acting for himself or
278 as an agent for another, who employs or authorizes
279 or permits to be employed any minor in violation
280 of this section shall be fined not more than two
281 [hundred] THOUSAND dollars.

282 Sec. 7. Section 31-24 of the general
283 statutes, as amended by section 11 of public act
284 97-263, is repealed and the following is
285 substituted in lieu thereof:

286 Except in state vocational schools or in
287 public schools teaching manual training, no child
288 under sixteen years of age shall be employed or
289 permitted to work in adjusting or assisting in
290 adjusting any belt upon any machine, or in oiling
291 or assisting in oiling, wiping or cleaning
292 machinery, while power is attached, or in
293 preparing any composition in which dangerous acids
294 are used, or in soldering, or in the manufacture
295 or packing of paints, dry colors or red or white
296 lead, or in the manufacture, packing or storing of
297 gun or blasting powder, dynamite, nitroglycerine
298 compounds, safety fuses in the raw or unvarnished
299 state, electric fuses for blasting purposes or any
300 other explosive, or in the manufacture or use of
301 any dangerous or poisonous gas or dye, or
302 composition of lye in which the quantity thereof
303 is injurious to health, or upon any scaffolding,
304 or in any heavy work in any building trade or in
305 any tunnel, mine or quarry, or in operating or
306 assisting to operate any emery, stone or buffing
307 wheel; and, except as otherwise provided in
308 subsection (b) of section 31-23, AS AMENDED BY
309 THIS ACT, no child under sixteen years of age
310 shall be employed or permitted to work in any
311 capacity requiring such child to stand

312 continuously. Any person, whether acting for
313 himself or as agent for another, who employs or
314 authorizes or permits to be employed any child in
315 violation of any of the provisions of this section
316 shall be fined not more than two [hundred]
317 THOUSAND dollars.

318 Sec. 8. Subsection (b) of section 51-164n of
319 the general statutes, as amended by section 4 of
320 public act 97-40, is repealed and the following is
321 substituted in lieu thereof:

322 (b) Notwithstanding any provision of the
323 general statutes to the contrary, any person who
324 is alleged to have committed (1) a violation under
325 the provisions of section 1-9, 1-10, 1-11, 4b-13,
326 7-13, 7-14, 7-18, 7-35, 7-41, 7-83, 7-104, 7-283,
327 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305,
328 9-322, 9-350, 10-193, 10-197, 10-198, 10-230,
329 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-326g,
330 subsection (4) of section 12-408, subsection (3),
331 (5) or (6) of section 12-411, section 12-435c,
332 12-476a, 12-476b, 12-487, 13a-71, 13a-107,
333 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123,
334 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247,
335 13a-253, subsection (f) of section 13b-42, section
336 13b-90, 13b-221, 13b-224, 13b-292, 13b-336,
337 13b-337, 13b-338, 13b-410a, 13b-410b, 13b-410c,
338 subsection (a), (b) or (c) of section 13b-412,
339 section 13b-414, subsection (d) of section 14-12,
340 section 14-20a, 14-27a, subsection (e) of section
341 14-34a, subsection (d) of section 14-35, section
342 14-43, 14-49, 14-50a, 14-58, subsection (b) of
343 section 14-66, section 14-66a, 14-66b, 14-67a,
344 subsection (f) of section 14-80h, section 14-97a,
345 subsection (c) of section 14-100a, section
346 14-100b, 14-103a, 14-106a, 14-106c, 14-146,
347 14-152, 14-153, 14-163b, section 14-219 specified
348 in subsection (e) of said section, section 14-240,
349 14-249, 14-250, subsection (a), (b) or (c) of
350 section 14-261a, section 14-267a, 14-269, 14-270,
351 14-275a, 14-278, 14-279, subsection (e) of section
352 14-283, section 14-291, 14-293b, 14-319, 14-320,
353 14-321, 14-325a, 14-326, 14-330, 14-332a,
354 subdivision (1), (2) or (3) of section 14-386a,
355 section 15-33, subsection (a) of section 15-115,
356 section 16-256, 16-256e, 16a-15, 16a-22,
357 subsection (a) or (b) of section 16a-22h, section
358 17a-24, 17a-145, 17a-149, 17a-152, 17a-465,
359 17a-642, 17b-124, 17b-131, 17b-137, 17b-407,

360 17b-451, 17b-734, subsection (b) of section
361 17b-736, 19a-30, 19a-33, 19a-39, 19a-87,
362 subsection (b) of section 19a-87a, section 19a-91,
363 19a-105, 19a-107, 19a-108, 19a-215, 19a-219,
364 19a-222, 19a-224, 19a-286, 19a-287, 19a-297,
365 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
366 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14,
367 20-158, 20-231, 20-257, 20-265, 20-324e,
368 subsection (a) of section 20-341, section 20-341l,
369 20-597, 20-608, 20-610, 21-30, 21-38, 21-39,
370 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21,
371 21a-25, 21a-26, 21a-30, 21a-31, subsection (a) of
372 section 21a-37, section 21a-46, 21a-60, 21a-61,
373 21a-63, 21a-77, 21a-78, subsection (b) of section
374 21a-79, section 21a-85, 21a-154, 21a-159, 21a-201,
375 21a-211, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34,
376 22-35, 22-36, 22-37, 22-38, 22-39, 22-39a, 22-39b,
377 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61,
378 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o,
379 22-118i, 22-123, 22-279, 22-280a, 22-318a,
380 22-320h, 22-324a, 22-326, 22-342, subsection (b)
381 or (e) of section 22-344, section 22-359, 22-366,
382 22-379, 22-380, 22-391, 22-413, 22-414, 22-415,
383 22a-66a, 22a-246, subsection (a) of section
384 22a-250, subsection (e) of section 22a-256h,
385 section 22a-449, 22a-461, 23-37, 23-38, 23-46,
386 23-61b, subsection (a) or (b) of section 23-65,
387 section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40,
388 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79,
389 26-89, 26-97, 26-107, 26-117, 26-128, 26-131,
390 26-132, 26-138, 26-141, 26-207, 26-215, 26-221,
391 26-222, 26-224a, 26-227, 26-230, 26-234, 26-267,
392 26-269, 26-294, 28-13, 29-6a, 29-109, 29-118,
393 29-161a, 29-161b, 29-198, 29-210, 29-243, 29-277,
394 29-316, 29-318, 29-341, 29-381, 30-48a, 30-86a,
395 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15,
396 [31-16,] 31-18, 31-23, 31-24, [31-25,] 31-28,
397 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47,
398 31-48, 31-51, 31-51k, 31-52, 31-52a, 31-54,
399 subsection (a) or (c) of section 31-69, section
400 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b,
401 31-134, subsection (g) of section 31-273, section
402 31-288, 36a-787, 42-230, 44-3, 45a-450, 45a-634,
403 45a-658, subdivision (13) or (14) of section
404 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34,
405 47-34a, 47-47, 49-8a, 49-16, 53-133, subsection
406 (a) or (b) of section 53-211, section 53-212a,
407 53-249a, 53-252, 53-264, 53-301, 53-302a, 53-303e,

408 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344 or
409 53-450, or (2) a violation under the provisions of
410 chapter 268, or (3) a violation of any regulation
411 adopted in accordance with the provisions of
412 section 12-484, 12-487 or 13b-410, shall follow
413 the procedures set forth in this section.

414 Sec. 9. Sections 31-16 of the general
415 statutes, as amended by section 8 of public act
416 97-263, and 31-25 of the general statutes, as
417 amended by section 12 of public act 97-263, are
418 repealed.

419 STATEMENT OF LEGISLATIVE COMMISSIONERS: In
420 sections 1, 2 and 5 the language regarding the
421 number of hours students may work when school is
422 in session and when school is out of session was
423 rewritten for clarity and a new section 8 was
424 added to delete references in the general statutes
425 to those sections repealed in section 9.

426 LAB COMMITTEE VOTE: YEA 13 NAY 1 JFS

* * * * *

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

* * * * *

FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5481

STATE IMPACT Potential Workload Increase,
 Potential Revenue Gain, see
 explanation below

MUNICIPAL IMPACT None

STATE AGENCY(S) Department of Labor

EXPLANATION OF ESTIMATES:

STATE IMPACT: The bill reduces the number of hours a week and the number of hours a day a student can work. It also allows students under age 18 to work later on nights that do not precede a regular school day.

Fines levied are increased for violations of statutory work hours and prohibitions against hazardous employment of children.

With the reduction in hours that a student under 18 can work, there could be an increase in the number of complaints that come to the Department of Labor. It is expected that this increase in complaints can be handled within the department's resources.

There is a potential revenue gain for the state of Connecticut with fines increased for these violations. It is uncertain as to how much more revenue will be gained.

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OLR BILL ANALYSIS

sHB 5481

AN ACT CONCERNING CHILD LABOR

SUMMARY: This bill reduces from 48 to 32 hours a week and from eight to six hours a day the number of hours a student under 18 years old can work during periods when the school he attends is in session. It also reduces from nine to eight the number of hours such a student can work per day when his school is not in session. The bill exempts from these limits anyone under age 18 who is not enrolled in secondary school. Its restrictions apply to work in manufacturing, mechanical, or mercantile establishments.

The bill also (1) allows students under age 18 to work later on nights that do not precede a regular school day, (2) broadens the range of theater jobs in which a student can work late hours, (3) increases tenfold the maximum fines that may be levied for violations of statutory work hours and prohibitions against hazardous employment of children, (4) eliminates prohibitions against a student under age 18 working as a night messenger or anyone under age 18 working as an elevator operator, and (5) makes technical changes.

EFFECTIVE DATE: October 1, 1998

FURTHER EXPLANATION**Work Hours**

The bill limits a student under age 18 to no more than six hours of work in a school day, unless that day immediately precedes a school holiday, and no more than eight hours of work in any other day. It further restricts students to no more than 32 hours of work in any school week. Currently, a student may work nine hours in any day and 48 hours in any week.

Under the bill, work hours a student spends in an approved educational plan, cooperative program, or school-to-work program do not count toward the daily or weekly limits.

The bill extends from 10:00 p.m. until 11:00 p.m. the

time when a student under age 18 may work on any night not preceding a regular school day. It leaves unchanged a prohibition on employers terminating or discriminating against a student for refusing to work later than 10:00 p.m. Exceptions allowing work until midnight if the employer is a supermarket, restaurant, cafe, dining room, or theater also remain unchanged. With respect to work until midnight by students in theaters, the bill broadens the exception from nonprofit theaters to all theaters and from ushering jobs to all jobs.

Penalties

The bill increases tenfold the maximum fines for violating restrictions on work hours and on working conditions of children:

1. With respect to work hours in any manufacturing or mechanical firm, fines increase from \$25 to \$250 for the first offense and from \$100 to \$1,000 for any subsequent offense. (The penalty of possible imprisonment for up to 30 days for a subsequent offense remains unchanged.)
2. The fine for similar violations in any mercantile firm increases from \$100 to \$1,000 for each offense.
3. With respect to night work by students, the fine for violations increases from \$50 to \$500 for the first offense and from \$200 to \$2,000 for any subsequent offense. The possible penalty of up to 30 days imprisonment for a subsequent offense remains unchanged.
4. The fine on a parent or guardian who permits a minor to be employed in violation of the night work restrictions increases from \$50 to \$500.
5. With respect to restrictions on work in restaurants, cafes, dining rooms, barber shops, hairdressing or manicuring establishments, amusement or recreational establishments, bowling alleys, shoe-shining establishments, billiard or pool rooms or photograph galleries, the fine on employers

increases from \$200 to \$2,000 for each offense.

6. The fine for employment of a child in an occupation prohibited for children increases from \$200 to \$2,000.
7. The fine for employment of a child in hazardous conditions increases from \$200 to \$2,000.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute
Yea 13 Nay 1